

"to". Claim 1 and claim 13 have been amended to add the word "to" as the Examiner suggested.

In item 3 of the Office action, the Examiner rejected claims 5 and 9 under 35 U.S.C. § 112, second paragraph, as being indefinite.

More specifically, the Examiner incorrectly stated that claim 5 recites a process of melt extruding carbon fibers. In contrast to the Examiner's conclusion, claim 5 does not describe a process. Rather, claim 5 describes a multilayer composite body.

The Examiner also rejected claim 5 because a process of melting cannot form carbon fibers. Claim 1 has been amended to include the features of claim 5. However, some of the features of claim 5 that are incorporated in claim 1 have been amended to conform to Section 112. Amended claim 1 now reads that the reinforcing insert is formed from melted synthetic materials, the material being melted includes carbon fibers. When amended claim 1 is read in this light, its meaning is definite.

The Examiner also rejected the Markush group in claim 5 as being indefinite. The Markush group now in amended claim 1 has been amended to reword the Markus group so as to remove any ambiguity. In addition, claim 14 has been added to reclaim the deleted subject matter in a proper, definite format. Claim 14 is intended to claim explicitly a combination of materials explicitly named within the Markush group of claim 5.

The Examiner rejected claim 9 as being indefinite. Claim 9 has been amended. As amended, claim 9 now reads that the multilayer composite body has a volume; this volume is a value determined during manufacturing. From this volume of material, a composite body can be stretched and shaped to include a functional element such as fixing strips, ribs, or the like. See page 11, lines 1 through 9, of the specification.

In item 5 of the Office action, the Examiner rejected claim 9, under 35 U.S.C. § 112, first paragraph, as containing subject matter that is not supported by the specification. The Examiner is directed to page 11, lines 1 through 9, of the specification for support.

Accordingly, the specification and the claims meet the requirements of 35 U.S.C. § 112, first and second paragraphs. Should the Examiner find any further objectionable items, counsel would appreciate a telephone call during which the matter may be resolved. The above noted changes to the claims are provided solely for the purpose of satisfying the requirements of 35 U.S.C. § 112. The changes are not provided for overcoming the prior art.

In item 7 of the Office action, the Examiner rejected claims 1-4 and 7-13 as fully anticipated by Gardill (U.S. 5,614,285) under 35 U.S.C. § 102. The rejection has been noted and the claims have been amended in an effort to define more clearly the invention of the instant application. Support for the changes in claim 1 can be found within originally filed claim 5.

On page 5, lines 4-5 of the Office action, the Examiner admitted that Gardill failed to disclose all of the features of claim 5. Because claim 1 as amended now claims all of the features of claim 5, the Section 102 rejection based on Gardill is now moot.

In item 9 of the Office action, the Examiner rejected claims 5-6 as being unpatentable over Gardill in view of

Textile Science under 35 U.S.C. § 103. More specifically, the Examiner combined Gardill with the Textile Science to list all of the claimed features in claims 5 and 6. Remembering that the features of claim 5 are now incorporated in amended claim 1, this Examiner's arguments regarding claim 5 will be considered directed to amended claim 1.

Before discussing the prior art in detail, a brief review of the invention as claimed is provided. Claim 1 calls for, *inter alia*, a multilayer composite body for the production of components or preforms containing the following features:

thermoplastic layers having synthetic materials;
natural fiber layers bonded with thermoplastic synthetic material; and

at least one reinforcing insert adjacent to said thermoplastic layers and said natural fiber layers, said at least one reinforcing insert having an open-pored fabric formed from fibers, said fabric penetrated from at least one side by melted synthetic materials of at least one of said adjacent natural fiber layers and said adjacent thermoplastic layers integrated into said fabric for reinforcement, said fibers of said fabric of said reinforcing insert being formed of material selected from the group consisting of polyethylene terephthalate, polybutylene terephthalate, glass fibers, and carbon fibers.

Gardill discloses a contoured plate of several layers manufactured by molding whereby a porous sound dampening material may be arranged between two layers of a mat, the

sound dampening material is made from "non-woven recycled cotton fiber." (See col. 4, lines 10-13.)

Furthermore, in Gardill, the fabric covered component may be inserted between the mat and an outer layer. The fabric covered component has the effect of a decorative addition after the outer layer is removed. See Gardill, col. 3, lines 13-17.

Clearly, the reference does not show a "reinforcing insert having an open-pored fabric formed from fibers ... penetrated from at least one side by melted synthetic materials." as described in claim 1.

Another reason why the prior art does not make the claimed invention obvious is that one with ordinary skill in the art would not think to combine Gardill and Textile Science to form the invention of the instant application because the cited prior art and the invention involve different arts. Gardill involves sound insulating materials requiring a loose structure. In contrast, the invention of the instant application involves a reinforcement material having a solid or woven structure that provides support. Because the prior art and the invention involve different arts, one with ordinary skill in the art of reinforcement materials would not

have knowledge of the insulating materials to combine the prior art and form the invention.

Accordingly, none of the references, whether taken alone or in any combination, either show or suggest the features of claim 1. Therefore, claim 1 is patentable over the art. And, since all of the dependent claims are ultimately dependent on claim 1, they are believed to be patentable as well.

In view of the foregoing, reconsideration and allowance of claims 1-4 and 6-16 are solicited.

In the event the Examiner should still find any of the claims to be unpatentable, please telephone counsel so that patentable language can be substituted.

Please charge any fees that might be due with respect to
Sections 1.16 and 1.17 to the Deposit Account of Lerner and
Greenberg, P.A., No. 12-1099.

Respectfully submitted,



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